

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MERLE L. ROYSE,

Petitioner,

v.

BELINDA STEWART,

Respondents.

Case No. C06-5440- FDB


ORDER DECLINING TO ADOPT
REPORT AND RECOMMENDATION AS
MOOT

Petitioner has filed a habeas corpus petition and application to proceed *in forma pauperis*. The Magistrate Judge recommends that the application to proceed in forma pauperis be denied because the Petitioner appears to have sufficient funds to pay the filing fee. In response to the Report and Recommendation, Petitioner submitted the filing fee. Accordingly, the Court hereby finds and ORDERS:

- (1) The Report and Recommendation is declined as moot;
- (2) The Clerk is directed to send copies of this Order to Petitioner, Magistrate Judge,

Karen L. Strombom, and any other party that has appeared in this action.

DATED this 22nd day of September, 2006.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE